

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BENNIE HUBBARD, #141527,

Plaintiff,

v.

Case No. 10-14390
Hon. Lawrence P. Zatkoff

PRISON HEALTH SERVICES, INC.,
MICHIGAN DEPT. OF CORRECTIONS,
WARDEN OLSON, RUM LALONDE,
RUM LEMON, RUM MANSFIELD,
DEPUTY WARDEN MACLAREN,
CAPTAIN ANDRZEJAK, IAN MCDONALD,
NURSE WILSON, GREG MCQUIGGEN, AND
MICHAEL BROWN,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

On or about November 2, 2010, Plaintiff, proceeding *pro se*, filed suit challenging the conditions of his confinement and alleging various claims of deliberate indifference to his serious medical needs. Currently before the Court is Magistrate Judge Randon's Report and Recommendation [dkt 77], in which the Magistrate Judge recommends denying Defendant Prison Health Services, Inc.'s ("PHS") Motion for Summary Judgment [dkt 64]. In his Report and Recommendation, Magistrate Judge Randon reasons that, because the undersigned entered an Order granting PHS's Motion to Dismiss on March 30, 2012 [dkt 75], PHS's Motion for Summary Judgment is rendered moot, as all of Plaintiff's claims against PHS were previously dismissed with prejudice. PHS has not filed objections to the Report and Recommendation and the time period within which to do so has expired.

The Court has thoroughly reviewed the court file, PHS's motion, and the Magistrate Judge's Report and Recommendation. Based on this review, the Court ADOPTS the Report and Recommendation [dkt 77] and enters it as the findings and conclusions of this Court. Accordingly, IT IS HEREBY ORDERED that PHS's Motion for Summary Judgment [dkt 64] is DENIED as moot.

IT IS SO ORDERED.

Date: August 15, 2012

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
U.S. DISTRICT JUDGE